

REMARKS

By the present amendment, claims 1-10 have been canceled without prejudice or disclaimer. Applicants reserve the right to file one or more applications directed to the subject matter of the canceled claims. It is submitted that these amendments to claims do not raise new issues which would require further consideration and/or search. In addition, it is submitted that such amendments place the application in better form for appeal by materially reducing or simplifying the issues for appeal. Furthermore, no additional claims are presented without cancelling a corresponding number of finally rejected claims. In view of the above, it is submitted that entry of the above amendments is in order and such is respectfully requested.

In the Office Action, independent claim 1 and dependent claims 4-9 were rejected under 35 USC § 103(a) as being unpatentable over the patent to Smejkal et al in view of the '083 and '958 patents to Person et al. In addition, independent claim 1 was rejected under 35 USC § 103(a) as being unpatentable over the patent to Smejkal et al in view of the '958 patent to Person et al and the patent to Kerander et al. Furthermore, dependent claims 9-10 were rejected under 35 USC § 103(a) as being unpatentable over the same patent to Smejkal et al in view of the same patents to Person et al further in view of the patent to Rainer. Also, dependent claim 2 was rejected under 35 USC § 103(a) as being

unpatentable over the patent to Smejkal et al in view of the patents to Person et al further in view of the patent to Shindo et al and dependent claims 2 and 3 were rejected under 35 USC § 103(a) as being unpatentable over the patent to Smejkal et al in view of the patents to Person et al further in view of the patent to Takeuchi et al. Reconsideration of these rejections in view of the above claim amendments and the following comments is respectfully requested.

As mentioned above, claims 1-10 have been cancelled herein. Thus, it is submitted that these rejections are now moot. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

Applicants acknowledge with appreciation the indication that claims 11-15 are allowed. Since the subject Amendment cancels remaining claims 1-10, it is submitted that the application is allowable.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

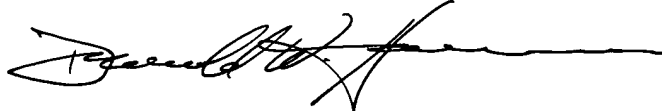
In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit

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Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

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